



1 fm DACS

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Patent Application of:

Derrick Diarmuid ROBERTSON, *et al.*

Atty. Ref.: LSN-36-1909

Serial No.: 10/539,413

T.C./A.U.: 2618 – Conf. No.: 2356

Filed: June 17, 2005

Examiner: Adel Y. Youssef

For: METHOD AND APPARATUS FOR OPERATING A COMPUTER NETWORK

* * * * *

April 16, 2009

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ISSUE FEE PAID:
MARCH 27, 2009

Sir:

PETITION TO WITHDRAW FROM ISSUE
UNDER 37 C.F.R. §1.313(C)

Pursuant to 37 C.F.R. §§1.313(a) and (c), applicants hereby request that the above-identified application be withdrawn from issue for good and sufficient reasons noted below.

The petition fee of \$130.00 set forth in 37 C.F.R. §1.17(h) is attached, together with an RCE and an IDS (and appropriate fees associated therewith).

On April 8, 2009, the undersigned learned for the first time that this application is related to two other co-pending applications – and further learned on April 14, 2009, of additional prior art from other sources believed relevant to at least some of these three cases. By the time this new information arrived, the issue fees due in the USPTO no later than March 31, 2009, had already been paid.

04/17/2009 RHEBRAHT 00000045 10539413

01 FC:1464

130.00 0P

Derrick Diarmuid ROBERTSON, *et al.*
Serial No. 10/539,413
April 16, 2009

Now, however, it is believed that the new information may be considered sufficiently relevant to warrant further consideration by the USPTO Examiner.

Accordingly, good and sufficient reasons for withdrawing this application from issue have been demonstrated, and withdrawal of same is earnestly solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Larry S. Nixon
Larry S. Nixon
Reg. No. 25,640

LSN:lef

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100